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To: Central Fax Center
Firm: U.S. Patent and Trademark Office
Facsimile No.: 571-273-8300
From: William S. Frommer
Date: February 14, 2007
Re: U.S. Application Serial No. 10/089,400
Attorney Docket: 450101-03365
No. of Pages: 5
(including cover page)

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PATENT
450101-03365IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Kunio KAWAGUCHI et al.
 Serial No. : 10/089,400
 For : INFORMATION PICTURE UTILIZATION SYSTEM USING INFORMATION PICTURE
 Filed : August 12, 2002
 Examiner : Vitali A. Korobov
 Art Unit : 2155

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745 Fifth Avenue
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Mail Stop Amendment
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Dear Sir:

Transmitted herewith is an amendment in the above-identified application.

- ☒ No additional fee is required.
☐ The fee has been calculated as shown below.
☐ This is an application of a small entity under 37 CFR 1.9(f), and the amounts shown in parentheses apply.

Claims as Amended

(1)	(2) Claims remaining after amendment	(3)	(4) Highest number previously paid for	(5) Percent extra	(6) Rate	(7) Additional Fee
Total claims	19	Minus	** = 20	*0x	\$50 (25)	=\$0
Independent claims	5	Minus	*** = 5	*0x	\$200 (100)	=\$0
Total additional fee for this amendment						\$0

* If the entry in Column 2 is less than the entry in Column 4, write "0" in Column 5.

** If the highest number of total claims previously paid for is less than 20, write "20" in this space.

*** If the highest number of independent claims previously paid for is less than 3, write "3" in this space.

- ☐ This application contains a multiple dependent claim. The required fee of \$360(180) has been previously paid ☐, or is paid herewith ☐.
- ☐ This response is being filed within the ___ month following the expiration of the term originally set therefore. This is a petition to request a ___ month extension of time. A check covering the cost of the petition is enclosed.
- ☐ A check in the amount of \$ ___ is attached, which covers the cost of ☐ additional claims ☐ petition for extension of time.
- ☐ Charge \$ ___ to Deposit Account No. 50-0320.
- ☒ Please charge any additional fees incurred by reason of this response or credit any overpayment to Deposit Account No. 50-0320.

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Respectfully submitted,

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Barnet Shindler
 Signature

FEBRUARY 14, 2007

Date of Signature

FROMMER LAWRENCE & HAUG LLP
 Attorneys for Applicants

By:

William S. Frommer
 William S. Frommer
 Reg. No. 24506
 Tel: 212-588-0800

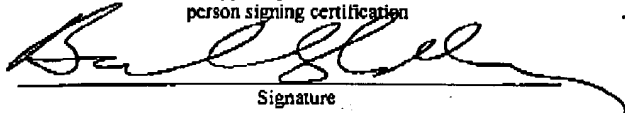
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450101-03365****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants : Kunio KAWAGUCHI et al.
Serial No. : 10/089,400
For : INFORMATION PICTURE UTILIZATION SYSTEM USING
INFORMATION PICTURE
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745 Fifth Avenue
New York, NY 10151**FACSIMILE**

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Type or print name of
person signing certification

Signature

FEBRUARY 14, 2007

Date of Signature

**RESPONSE TO REQUIREMENT
FOR ELECTION OF SPECIES**

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is in response to the Office Action which issued in the above-identified application
on January 24, 2007, requiring an election of species among those species identified by the
Examiner as follows:

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Species I, characterized by the Examiner as a “first technique, comprising adding lifetime limiting information to the information picture;”

Species II, characterized by the Examiner as a “second technique comprising storing of history relating to recording/updating of information picture;” and

Species III, characterized by the Examiner as a “third technique, comprising limiting server transmitted traffic on the basis of information relating to information picture.”

It is submitted that the claims present in this application are not easily categorized or grouped into the species as identified by the Examiner. Nevertheless, to comply with the requirement for responding to this election of species, Applicant submits that claims 1-5 and 14-19 fall more closely into Species I defined by the Examiner; and Applicant elects, without traverse, claims 1-5 and 14-19 for further prosecution in this application.

Additionally, it is noted that claims 1, 4, 5 and 14-19 also fall into Species II and Species III defined by the Examiner and, thus, claims 1, 4, 5 and 14-19 are generic claims. Consistent with MPEP § 821.04(a), if one or more of these generic claims eventually is allowed, the election of species requirement with respect to all claims that depend from or include the recitations thereof will be withdrawn and such claims likewise will be allowed.

Applicant reserve his right to file a divisional application, if necessary, to proceed with the examination of the non-elected claims.

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The notice of allowance of the claims of this application is respectfully solicited.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP

By:



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